

OPENING

Chairman Browning brought the meeting to order at 6:00 p.m. and led the pledge of allegiance.

PRESENT

Chairman Cynthia Browning
Co-Chairman Janet Prentice
Commissioner Wenn Jorgensen

Town Recorder Michelle Kinney

OTHERS

Planner Forrest Kuehne
Mayor Marty Lisonbee

EXCUSED

Commissioner Blake Seese
Town Attorney Shawn Guzman

HEARING ON THE FOLLOWING ITEMS:

- **GENERAL PLAN AMENDMENT FROM RESIDENTIAL ½ ACRE TO RESIDENTIAL 5 ACRE FOR AV-1377 C.**
Owners Megan LeBaron and Christian Holt. Property located at 1820 E 2000 S

MOTION: Commissioner Prentice motioned to open Public Hearing on the General Plan Amendment from Residential ½ acre to Residential 5 Acre for AV-1377 C.

SECOND: Commissioner Jorgensen

VOTE: Chairman Browning: Aye
Commissioner Prentice: Aye
Commissioner Jorgensen: Aye

The vote was unanimous and the motion carried.

Discussion:

- Planner Kuehne feels there is no reason to amend the plan.
- Mayor Lisonbee feels there is no reason to amend the plan.

MOTION: Chairman Browning motioned to close the hearing on the General Plan Amendment

SECOND: Commissioner Prentice
VOTE: Chairman Browning: Aye
Commissioner Prentice: Aye
Commissioner Jorgensen: Aye

The vote was unanimous and the motion carried

MOTION: Chairman Browning motioned to recommend that a refund be given for any fee paid for the general plan amendment application because it is not necessary to amend the general plan.

SECOND: Commissioner Prentice
VOTE: Chairman Browning called for a vote.

Chairman Browning: Aye
Commissioner Prentice: Aye
Commissioner Jorgensen: Aye

The vote was unanimous and the motion carried

- **Zoning Change from Planned Development Zone to Residential 5 Acre for AV 1377 C**

MOTION: Commissioner Jorgensen motioned to open the hearing on zoning change from planned development zone to Residential 5 acre for AV-1377-C

SECOND: Commissioner Prentice
VOTE: Chairman Browning called for a vote.

Chairman Browning: Aye
Commissioner Prentice: Aye
Commissioner Jorgensen: Aye

Megan LeBaron- We do not want to build an RV park but would like to build our home.

MOTION: Commissioner Prentice motions to close the public hearing on Zoning Change from Planned Development Zone to Residential 5 Acre for AV 1377 C

SECOND: Chairman Browning
VOTE: Chairman Browning: Aye
Commissioner Prentice: Aye
Commissioner Jorgensen: Aye

The vote was unanimous and the motion carried

MOTION: Chairman Browning motioned to recommended that this zoning change from Planned Development zone to Residential 5 Acre be approved and sent to Council for approval.

SECOND: Commissioner Prentice
VOTE: Chairman Browning: Aye

Commissioner Prentice: Aye
Commissioner Jorgensen: Aye

The vote was unanimous and the motion carried.

- **Lot Split of AV-1377-C into two lots.**

MOTION: Commissioner Jorgensen motioned to open the hearing on the Lot split of AV-1377-C into two lots
SECOND: Chairman Browning
VOTE: Chairman Browning: Aye
Commissioner Prentice: Aye
Commissioner Jorgensen: Aye

The vote was unanimous and the motion carried.

Planner Kuehne states that we have policies for development passed earlier this year that require a traffic study showing safe access with turn lanes. If they split the property they will need some type of road to serve both lots. They cannot use the same road to serve both properties.

Mayor: Curb, gutter and sidewalks may be excessive for a lot which doesn't even have a dedicated road. We may want to approve with a variance for excessive requirements for this location. He will need culverts, road base and fire protection in proximity to his home. Before permit is issued the town will need written agreement that this will be done. Mayor Lisonbee continues by saying we need uniformity in the code. We need to work on the ordinances so we can approve this another day if needed. The town could do a delay agreement for this road.

Commissioner Prentice agrees we can approve these with contingency.

Mr. LeBaron mentions they had an engineer come and map out the road for cinders and fire hydrant. They would be willing to sign a delay agreement if the town deems that necessary.

Planner Kuehne asked how many delay agreements we have for this area? Perhaps we should just slow down on this a little and take our time making sure we are meeting current standard with our code.

Chairman Browning mentioned that precedence has been set with these delayed agreements.

MOTION: Commissioner Prentice makes a motion that we close the public hearing for AV-1377-C for lot split.
SECOND: Commissioner Jorgensen
VOTE: Chairman Browning: Aye
Commissioner Prentice: Aye
Commissioner Jorgensen: Aye

MOTION: Commissioner Prentice motions to send to Town Council with a delay agreement for the road on AV-1377-C into two lots and that staff and Town Council will determine what is necessary on the delay agreement. Including dedicating the road and that needs are met prior to issuing the permit.

SECOND:
VOTE: Chairman Browning: Aye

Commissioner Prentice: Aye
Commissioner Jorgensen: Aye

The vote was unanimous but the motion was never seconded.

After the hearing and motion for action more discussion ensued. This discussion was about the road not being on the LeBaron property.

- **Repeal and Replacement of title 10, chapter 3 Definitions**

MOTION: Chairman Browning moves to open hearing on Repeal and Replacement of Title 10, Chapter 3 Definitions.
SECOND: Commissioner Jorgensen
VOTE: Chairman Browning: Aye
Commissioner Prentice: Aye
Commissioner Jorgensen: Aye

Chairman Browning reads in Chapter 3 under “LOTS.” Planner Kuehne mentions that we need to change the word “county” to “town”. So that it reads “upon a dedicated and improved town road.”

Town Council member Kopp pointed out that in Chapter 3 under “CABIN” the wording that indicates they should have bathroom facilities. Some of the tiny cabins do not have bathrooms. Mayor Lisonbee recommended striking wording.

Under CABIN strike the wording, “with the structure containing sleeping, bathing and kitchen facilities”. Strike the same wording under TINY HOME.

MOTION: Chairman Browning moves that we close the hearing.
SECOND: Commissioner Jorgensen
VOTE: Chairman Browning: Aye
Commissioner Prentice: Aye
Commissioner Jorgensen: Aye

The vote was unanimous and the motion carried.

MOTION: Chairman Browning moves that we forward the definitions of title 10, chapter 3 definitions to the Town Council for approval with those changes.
SECOND: Commissioner Prentice
VOTE: Chairman Browning: Aye
Commissioner Prentice: Aye
Commissioner Jorgensen: Aye

The vote was unanimous and the motion carried.

- **Discussion and action on Gary Bonner Shed Variance**

Gary was not present. He has limited space for a shed and he would like to place it in an area that would not normally be allowed. It will be behind shrubbery.

MOTION: Commissioner Prentice send to TC for approval of variance for Gary Bonner.
SECOND: Commissioner Jorgensen
VOTE: Chairman Browning: Aye
Commissioner Prentice: Aye
Commissioner Jorgensen: Aye

The vote was unanimous and the motion carried.

- **Preliminary Site Plan review: Little Creek Station RV Resort, Utah South Vineyards**

Engineer Karl Rasmussen representing Utah South Vineyards gives a movie presentation with proposed RV site.

Commissioner Prentice would like to have the majority of RV's using the entrance off of Highway 59. Chairman Jorgensen is concerned about the additional traffic coming into the site using the entrance on Apple Valley Way. Especially with this being the entrance that residence must use to access their homes. She would also like to see RV's primarily using the highway 59 entrance. Engineer Rasmussen mentioned that they will see what they can work out but are also bound by DOT rules. It will have approximately 105 units. It works out to be about 6 units per acre.

Rich Ososki is concerned about ATV trails and the people bringing their ATV's through town. When they started in January there was an RV ordinance. Since then that ordinance has been changed. The Zone is currently C2 and the definitions have been changed. They may need to put in for a zone change when the time comes. Apple Valley may need to provide another access to the town because of a current ordinance that prohibits more development without another Town access. Utah South Vineyards has plans to put in another town entrance with the Master Plan Community they have planned.

MOTION: Chairman Browning moves that we forward the preliminary site plan review presentation to the Town Council for approval knowing that there are issues yet to be addressed for the final site plan.
SECOND: Commissioner Prentice
VOTE: Chairman Browning: Aye
Commissioner Prentice: Aye
Commissioner Jorgensen: Aye

The vote was unanimous and the motion carried.

- **Master Plan Development Presentation (preliminary site plan review): Utah South Vineyards**

Engineer Karl Rasmussen representing Utah South Vineyards gives a movie presentation with the preliminary site plan for the Master Plan Development.

West temple village includes “Dead man’s curve” all the way to station. They have plans to put in trails for horses and hiking down through the wash. The red is low clustering 100 acres with half acre lots. 23,000 square foot lots. DEQ guidelines for septic will be acceptable with this size. Desert Rose will have a new entrance and exit onto highway 59 with bridge over wash. It will also parallel the highway. This will be an 80 foot road for the entrance. Orange is church, green is open space.

This may take 20 or 30 years. We need to expand infrastructure. We will have to have the roadway system in before we can add to many other things.

First priority will be West Temple Village and they hope to start building in 2019.

Engineer Karl Rasmussen goes over water rights, wells and septic.

The analysis for water is on the division of Drinking water page.

Infrastructure for the wells will need to be added. Treatment system will be required in the future as these phases are built. The master plan will be broken up into 4 areas and each area will be built in phases.

CONSIDER APPROVAL OF MINUTES

MOTION: Chairman Browning motioned to approve the minutes for August 22, 2018.

SECOND: Commissioner Prentice

VOTE: Commissioner Prentice –aye
Commissioner Lisonbee – aye
Chairman Browning - aye

The vote was unanimous and the motion carried.

Workshop: Discussion and action on General Plan Map

Table this discussion for the next Planning Commission meeting on September 26th, 2018

Chairman Browning notes that she must approve all agenda item so the Commissioners are prepared for meeting.

ADJOURNMENT

MOTION: Prentice motioned to adjourn.

SECOND: Chairman Browning

VOTE: Commissioner Prentice –aye
Commissioner Jorgensen -aye
Chairman Browning - aye

The vote was unanimous and the motion carried.

Date approved: 10/10/18

Cynthia Browning
Cynthia Browning, Chairman

ATTEST BY: Michelle Kinney
Michelle Kinney, Clerk-Recorder